

February 20, 2015

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
FEBRUARY 20, 2015

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JANUARY 16, 2015

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JANUARY 16, 2015?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	123.....	18
Agriculture	327.....	20
Arts Council	17.....	2
Capitol Development Board.....	45.....	0
Central Management Services.....	1,369.....	115
Children and Family Services	2,609.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	316.....	70
Commerce Commission	69.....	0
Corrections.....	10,807.....	99
Criminal Justice Authority	52.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	79.....	5
Employment Security.....	1,231.....	32
Environmental Protection Agency.....	785.....	17
Financial & Professional Regulation.....	436.....	49
Gaming Board	158.....	6
Guardianship and Advocacy	105.....	8
Healthcare and Family Services	2,027.....	26
Historic Preservation Agency.....	151.....	14
Human Rights Commission.....	14.....	2
Human Rights Department.....	139.....	9
Human Services	12,263.....	75
Illinois Torture Inquiry Relief Commission	4.....	1
Independent Tax Tribunal	1.....	0
Insurance	234.....	16
Investment Board	4.....	2
Juvenile Justice.....	1,016.....	25
Labor.....	91.....	11
Labor Relations Board Educational.....	10.....	2
Labor Relations Board State.....	15.....	2
Law Enforcement Training & Standards Bd.	17.....	2
Lottery.....	126.....	7
Military Affairs	123.....	3
Natural Resources	1,160.....	31
Pollution Control Board	20.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	31.....	1
Public Health.....	1,132.....	42
Racing Board.....	2.....	1
Revenue.....	1,690.....	54
State Fire Marshal	127.....	12
State Police.....	1,078.....	7
State Police Merit Board	5.....	2
State Retirement Systems.....	94.....	3
Transportation	2,406.....	0
Veterans' Affairs	1,324.....	9
Workers' Compensation Commission.....	122.....	11
TOTALS	43,991.....	869

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Human Services – proposed exemption (continued from the October 17, 2014, November 21, 2014 and January 16, 2015 meetings)

Position Number	40070-10-96-444-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Family & Community Services
Functional Title	Associate Director-Office of Adult Services and Basic Supports
Incumbent	Vacant
Supervisor	Assistant Director, Division of Family & Community Services, who reports to the Director, Division of Family & Community Services, who in turn reports to the Secretary
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Revenue – proposed exemption (continued from the January 16, 2015 meeting)

Position Number	40070-25-83-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Taxpayer Services/Property Tax
Functional Title	Property Tax Division Manager
Incumbent	Vacant
Supervisor	Taxpayer Services Manager, who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois State Police – proposed exemption (continued from the January 16, 2015 meeting)

Position Number	13851-21-00-700-30-02
Position Title	Executive 1
Bureau/Division	Office of the Director/Governmental Affairs
Functional Title	Assistant Legislative Liaison
Incumbent	Vacant
Supervisor	Chief, Governmental Affairs who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F1. Illinois State Police – proposed exemption

Position Number	40070-21-00-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief Public Safety Policy Advisor
Incumbent	Vacant
Supervisor	Director
Location	Cook County

F2. Illinois State Police – proposed exemption

Position Number	40070-21-00-000-60-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Ethics and Government Corruption Advisor
Incumbent	Vacant
Supervisor	First Deputy Director who reports to the Director
Location	Sangamon County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C: Associate Director-Office of Adult Services and Basic Supports (Human Services)**
- D: Property Tax Division Manager (Revenue)**
- E: Assistant Legislative Liaison (State Police)**
- F1: Chief Public Safety Policy Advisor (State Police)**
- F2: Ethics and Government Corruption Advisor (State Police)**

G. Proposed Rescissions in accordance with Section 1.142(b) of the Rules of the Civil Service Commission

On April 15 and October 21, 2014 the Executive Director sent notice to the Director of Central Management Services of the proposed rescissions of current 4d(3) exempt positions which may no longer meet the requirements for exemption. Each affected agency director was also provided with a courtesy notice of this proposed action. These proposed rescissions have been continued from the May 2014 meeting and the November 2014 meeting and are now put forth before the Commission for formal

consideration of rescission of their exemption. Section 1.142(b) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

Item	Position #	Agency	Functional Title
G1	40070-37-60-010-06-01	Central Management Services	Regional Client Manager for Region 6 (Central)
G2	40070-42-10-600-00-01	Commerce & Econ. Opportunity	Regional Manager (West Central)
G3	00502-29-01-700-51-01	Corrections	Legislative Liaison
G4	40070-46-30-200-00-01	Environmental Protection Agency	Policy and Outreach (Upstate)
G5	40070-48-52-000-00-01	Historic Preservation	State Historian / Manager, ALPLM Research & Collections
G6	40070-25-45-000-00-01	Revenue	Human Resources Director

WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- G1: Central Management Services-Regional Client Manager (Central)**
- G2: Commerce & Economic Opportunity-Regional Manager (West Central Region)**
- G3: Corrections-Legislative Liaison**
- G4: Environmental Protection Agency-Policy and Outreach (Upstate)**
- G5: Historic Preservation Agency-State Historian/Manager Research and Collections**
- G6: Revenue-Human Resources Director**

VI. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

B. None submitted

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	12/31/14	1/31/15	1/31/14
Arts Council	2	1	0
Central Management Services	4	1	0
Children and Family Services	1	3	0
Healthcare and Family Services	5	6	0
Human Services	9	7	0
Insurance	1	1	0
Natural Resources	16	9	0
State Retirement Systems	1	0	0
Transportation	2	3	0
Veterans' Affairs	1	0	0
Totals	42	31	0

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-14-15

Employee	Daniel R. Stinnett	Appeal Date	9/23/14
Agency	Human Services	Decision Date	2/06/15
Type	Discharge	Proposal for Decision	90-day suspension plus the duration of the suspension pending discharge.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-16-15

Employee	Robyn D. Byrd	Appeal Date	10/02/14
Agency	Human Services	Decision Date	01/30/15
Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

S-44-14

Employee	Carly A. Ziegler	Appeal Date	6/15/14
Agency	Corrections	Decision Date	2/06/15
Type	Suspension	Proposal for Decision	Charges not proven; the 20-day suspension is to be removed from her personnel file and any related administrative record.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

RV-1-15

Employee	Lori Crafton	Appeal Date	7/11/14
Agency	Central Mgmt. Svcs.	Decision Date	1/16/15
Appeal Type	Rule Violation	Proposal for Decision	Violation of Section 303.20 and 303.30; Employee has the right to the grievance procedure outlined in the Personnel Rules.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DR-49-14

Employee	Kara Restagno	Appeal Date	6/20/14
Agency	Human Services	Decision Date	1/27/15
Appeal Type	Declaratory Ruling	Proposal for Declaratory Ruling	State agencies can correct a salary amount if an employee is mistakenly overpaid. There is no evidence that the agency misapplied the Personnel Code or Rules.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-32-15

Employee	Mildred F. Williamson	Appeal Date	01/14/15
Agency	Public Health	Decision Date	02/09/15
Appeal Type	Discharge	Proposal for	Dismissed; withdrawn.
ALJ	Andrew Barris	Decision	

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Friday, March 20, 2015 at the Commission's Chicago office.

XIV. MOTION TO ADJOURN